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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

RICOH COMPANY, LTD.,

Plaintiff,

v.

AEROFLEX ET AL.,

Defendants.

Case No. CV-03-4669-MJJ (EMC)

**DECLARATION OF REBECCA L.  
 BARBISCH IN SUPPORT OF  
 RICOH'S OPPOSITION TO  
 DEFENDANTS' MOTION FOR  
 ORDER EXTENDING TIME TO  
 PERMIT A LATE FILING OF  
 AMENDED ANSWERS AND CROSS  
 MOTION TO STRIKE  
 DEFENDANTS' AMENDED  
 ANSWERS AND  
 COUNTERCLAIMS**

Rebecca L. Barbisch declares as follows:

1. My name is Rebecca L. Barbisch, an attorney with the law firm of Dickstein Shapiro Morin & Oshinsky, LLP, counsel for Ricoh Company Limited. I am over the age of 21 and am competent to make this declaration. Based on my personal knowledge and information, I hereby declare to all the facts in this declaration.

2. Defendants were placed on notice that they had failed to file Amended Answers at a January 19, 2006 deposition of Aeroflex. At that deposition, I asked Defendants' counsel Jaclyn Fink about the status of Defendants' Amended Answers. Ms. Fink acknowledged that the Defendants had not yet amended and stated that they were working on them, and still intended to file them.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Signed at Washington, D.C. on April 17, 2006.

April 17, 2006

/s/ Rebecca L. Barbisch  
Rebecca L. Barbisch